



**U.S. Department of Energy
Office of Legacy Management
Categorical Exclusion Determination Form**



Program or Field Office: Office of Legacy Management

Project Title and I.D. No.: Obtain Access Agreement to Sample Homestake Mining Company Groundwater Monitoring Well HMC-951, Amendment to LM # 5-12

Location: Bluewater, New Mexico

Proposed Action or Project Description:

DOE proposes to obtain groundwater samples twice a year from an existing groundwater monitoring well owned by Homestake Mining Company (HMC) on private property adjacent to the Bluewater site access road. The groundwater well is identified as HMC-951. HMC has discontinued groundwater production from this well by removing the pump and electrical service to the well. DOE plans to install a dedicated bladder pump in the well and collect samples using a portable generator and compressor. Groundwater monitoring data from the well would be used to further define subsurface conditions. An access agreement with HMC would be secured for a period of 5 years and potentially renewed after that time. Every 3 years it is expected that well redevelopment would be necessary. Redevelopment would result in the release of approximately 1,000 gallons of water to the land surface. Because of the arid climate and dry soil conditions, the release of development water would not result in soil erosion.

In 2012, DOE completed an environmental checklist (LM#5-12) on installation of 6 groundwater monitoring wells and general site activities related to groundwater monitoring of all wells on the Bluewater site. Actions associated with groundwater sampling of well HMC-951 are of the same type as the actions that were identified for groundwater sampling of the LM groundwater monitoring wells located on the site.

Categorical Exclusion(s) Applied:

B3.1 Site characterization and environmental monitoring
B1.24 Property transfers

For the complete DOE National Environmental Policy Act regulations regarding categorical exclusions, including the full text of each categorical exclusion, see Subpart D of 10 CFR Part 1021.

Regulatory Requirements in 10 CFR 1021.410(b): (See full text in regulation)

☒ The proposal fits within a class of actions that is listed in Appendix A or B to 10 CFR Part 1021, Subpart D

To fit within the classes of actions listed in 10 CFR Part 1021, Subpart D, Appendix B, a proposal must be one that would not: (1) threaten a violation of applicable statutory, regulatory, or permit requirements for environment, safety, and health, or similar requirements of DOE or Executive Orders; (2) require siting and construction or major expansion of waste storage, disposal, recovery, or treatment facilities (including incinerators), but the proposal may include categorically excluded waste storage, disposal, recovery, or treatment actions or facilities; (3) disturb hazardous substances, pollutants, contaminants, or CERCLA-excluded petroleum and natural gas products that preexist in the environment such that there would be uncontrolled or unpermitted releases; (4) have the potential to cause significant impacts on environmentally sensitive resources, including, but not limited to, those listed in paragraph B(4) of 10 CFR Part 1021, Subpart D, Appendix B; (5) involve genetically engineered organisms, synthetic biology, governmentally designated noxious weeds, or invasive species, unless the proposed activity would be contained or confined in a manner designed and operated to prevent unauthorized release into the environment and conducted in accordance with applicable requirements, such as those listed in paragraph B(5) of 10 CFR Part 1021, Subpart D, Appendix B.

☒ There are no extraordinary circumstances related to the proposal that may affect the significance of the environmental effects of the proposal.

☒ The proposal has not been segmented to meet the definition of a categorical exclusion. This proposal is not connected to other actions with potentially significant impacts (40 CFR 1508.25(a)(1)), is not related to other actions with individually insignificant but cumulatively significant impacts (40 CFR 1508.27(b)(7)), and is not precluded by 40 CFR 1506.1 or 10 CFR 1021.211 concerning limitations on actions during preparation of an environmental impact statement.

Based on my review of the proposed action, as NEPA Compliance Officer (as authorized under DOE Order 451.1B), I have determined that the proposed action fits within the specified class(es) of action, the other regulatory requirements set forth above are met, and the proposed action is hereby categorically excluded from further NEPA review.

Lucy A. Rivera
NEPA Compliance Officer:

10/30/12

Date Determined: